

REMARKS

Claims 1-4, 6-8, 11-14, 17-23, and 25-30 are pending in this application after this Amendment. Claims 1, 6, 17-19, 26, and 27 are independent. Claim 31 has been canceled without prejudice or disclaimer of the subject matter contained therein. In light of the amendments and remarks made herein, Applicants respectfully request reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1-4, 6-8, 11-14, 17-23, 25-27, and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Garfinkle et al.* (USP 6,133,985) in view of *Stein et al.* (USP 5,826,241); and rejected claims 2-3, 7, 13-14, and 22-23 under 35 U.S.C. § 103(a) as being unpatentable over *Garfinkle et al.* in view of *Parulski et al.* (EP 0 860 980). Applicants respectfully traverse these rejections.

By this Amendment, Applicants have amended claims 1, 6, 17, 18, 19, 26, and 27 to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection but merely to timely advance prosecution of the present application.

**Claim Rejections - 35 U.S.C. § 103**

In support of the Examiner's rejection of claim 1, the Examiner admits that *Garfinkle et al.* does not disclose a user address setting means. The Examiner relies on the teachings of

*Stein et al.* to cure the deficiencies of the teachings of *Garfinkle et al.*, asserting *Stein et al.* discloses wherein when the buyer prepares a transfer-query message, the e-mail address to which the buyer's transfer-response message is placed in the sender's address of the transfer-query message. Applicants respectfully disagree with the Examiner's characterization of this reference.

The disclosure set forth in *Stein et al.* is directed to a computerized system for making payments and authenticating transactions over the Internet. The payment system enables a first Internet user to make a payment to a second Internet user for the purchase of an information project deliverable over the Internet.

Specifically, in cols. 7-8 of *Stein et al.*, the front end program 90 facilitates the transaction between the buyer and the seller. The front end program 90 sends a transfer-query message 140 to the buyer as shown in Fig. 8. After sending the transfer-query message 140, the front end program 90 waits for a response from the buyer 20. The buyer 20 may respond by sending a transfer-response message 150 to the front end computer 50 via the Internet as shown in Fig. 8. If the buyer 20 indicates "yes" in the willingness indication 152, the front end program 90 then sends a transfer-result message 160 to the seller 28 via the Internet 12.

In contrast, the present invention as set forth in claim 1 recites, *inter alia*, an application server used in a network photograph service system comprising a user address setting means

for enabling the service user to directly set the address of the sender of the electronic mail message wherein the address of the sender is an automatic reply address. As noted above, *Stein et al.* teaches a front end program 90 facilitating a transaction between a buyer and a seller. Although *Stein et al.* discloses changing the sender's address of the transfer-query message by the front end program, a response is still received by the front end program 90. Upon receipt of a response from the buyer, the front end program then prepares another e-mail address to notify the seller as to the result of the query.

Additionally, *Stein et al.* discloses obtaining an address by a front end program making a query to a user program where the obtained address is automatically set as a sender's address. There is no teaching or suggestion in *Stein et al.* that teaches or suggests enabling a service user to directly set the address of the sender of the electronic mail message. As such, it is respectfully submitted that *Stein et al.* fails to cure the deficiencies of the teachings of *Garfinkle et al.* and, thus, claim 1 is not obvious over *Garfinkle et al.* in view of *Stein et al.*

It is respectfully submitted that claims dependent on claim 1 are allowable at least for the reasons set forth above with regard to claim 1 based upon their dependency on claim 1. It is further respectfully submitted that claims 6, 17-19, 26, and 27 contain elements similar to those discussed above with regard to claim 1



and, thus, these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.


Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
D. Richard Anderson, #40,439

*DMV*  
DRA/CMV/jdm  
2091-0186P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

**RECEIVED**

**APR 05 2004**

**Technology Center 2100**